

PETITION FOR ZONING VARIANCE

TO THE ZONING COMMISSIONER OF BALTIMORE COUNTY:

The undersigned, legal owner(s) of the property situate in Baltimore County and which is described in the description and plat attached hereto and made a part hereof, hereby petition for a Variance from Section 400.1 to permit a side yard setback of 0' instead of the required 24'.

of the Zoning Regulations of Baltimore County, to the Zoning Law of Baltimore County; for the following reasons: (Indicate hardship or practical difficulty)
That the expense in connection with relocating the Petitioners' shed to a minimum of 3-1/2 feet from his side property line poses a financial hardship upon the Petitioner.

Property is to be posted and advertised as prescribed by Zoning Regulations.

We agree to pay expenses of above Variance advertising, posting, etc., upon filing of this petition, and further agree to and are to be bound by the zoning regulations and restrictions of Baltimore County adopted pursuant to the Zoning Law For Baltimore County.

We do solemnly declare and affirm, under the penalties of perjury, that we are the legal owner(s) of the property which is the subject of this Petition.

Contract Purchaser:
(Type or Print Name)
Signature
Address
City and State
Attorney for Petitioner:
(Type or Print Name)
Signature
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State
Name
Address
City and State
Attorney's Telephone No.:

Legal Owner(s):
Bruce E. Hamilton
(Type or Print Name)
Signature
Ellen M. Hamilton
(Type or Print Name)
Signature
257 St. Helena Avenue
Baltimore, MD 21222
Address
City and State
Name, address and phone number of legal owner, contract purchaser or representative to be contacted
City and State
Name
Address
City and State
Attorney's Telephone No.:

ORDERED By The Zoning Commissioner of Baltimore County, this 30th day of June, 1981, that the subject matter of this petition be advertised, as required by the Zoning Law of Baltimore County, in two newspapers of general circulation throughout Baltimore County, that property be posted, and that the public hearing be had before the Zoning Commissioner of Baltimore County in Room 106, County Office Building in Towson, Baltimore County, on the 10th day of September, 1981, at 7:30 o'clock A.M.

(over)

RE: PETITION FOR VARIANCE : BEFORE THE ZONING COMMISSIONER
S/S of St. Helena Ave., 617' :
W of Willow Spring Ave., :
12th District : OF BALTIMORE COUNTY

BRUCE E. HAMILTON, et ux, : Case No. 82-58-A
Petitioners :

ORDER TO ENTER APPEARANCE

Mr. Commissioner:

Pursuant to the authority contained in Section 524.1 of the Baltimore County Charter, I hereby enter my appearance in this proceeding. You are requested to notify me or any hearing date or dates which may be now or hereafter designated therefore, and of the passage of any preliminary or final Order in connection therewith.

Peter Max Zimmerman : John W. Hession, III
Deputy People's Counsel : People's Counsel for Baltimore County
Rm. 223, Court House
Towson, Maryland 21204
494-2188

I HEREBY CERTIFY that on this 19th day of August, 1981, a copy of the foregoing Order was mailed to Allan J. Culver, Jr., Esquire, P. O. Box 9072, Baltimore, Maryland 21222, Attorney for Petitioners.

John W. Hession, III

BALTIMORE COUNTY

ZONING PLANS

ADVISORY COMMITTEE



PETITION AND SITE PLAN

EVALUATION COMMENTS

BALTIMORE COUNTY ZONING PLANS ADVISORY COMMITTEE

September 2, 1981

COUNTY OFFICE BLDG.
111 W. Lapsdale Ave.
Towson, Maryland 21204

also
Nicholas S. Commodari
Chairman

MEMBERS
Bureau of Engineering
Department of Traffic Engineering
State Roads Commission
Bureau of Planning
Health Department
Public Planning
Building Department
Board of Education
Housing Administration
Industrial Development

Allan J. Culver, Jr., Esquire
P.O. Box 9072
Baltimore, Maryland 21222

Re: Item #245
Bruce E. Hamilton et al
Variance Petition

Dear Mr. Culver:

The Zoning Plans Advisory Committee has reviewed the plans submitted with the above referenced petition. The following comments are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties are made aware of plans or problems with regard to the development plans that may have a bearing on this case. The Director of Planning may file a written report with the Zoning Commissioner with recommendations as to the suitability of the requested zoning.

Because of your client's proposal to legalize the setback of the existing shed, this hearing is required.

Enclosed are all comments submitted to this office from the committee members at this time. The remaining members felt that no comment was warranted. This petition was accepted for filing on the date of the enclosed certificate and a hearing scheduled accordingly.

Very truly yours,

Nicholas S. Commodari
Chairman
Zoning Plans Advisory Committee

NEC:mch

enclosures



HARRY J. PISTEL, P.E.
DIRECTOR

July 30, 1981

Mr. William E. Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Re: Item #245 (1980-1981)
Property Owner: Bruce E. & Ellen M. Hamilton
S/S St. Helena Ave. 617.29' W. of Willow Spring Ave.
Acres: 14.75 x 145 District: 12th

Dear Mr. Hammond:

The following comments are furnished in regard to the plat submitted to this office for review by the Zoning Advisory Committee in connection with the subject item.

General:

This property comprises a part of Lot 41, Plat of St. Helena, recorded J.W.S. 1, Folio 80.

Baltimore County highway and utility improvements are not directly involved.

This office has no further comment in regard to the plan submitted for Zoning Advisory Committee review in connection with this item 245 (1980-1981).

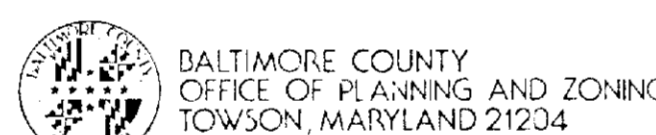
Very truly yours,

Robert A. Morton, A.E., Chief
Bureau of Public Services

RAM:EAM:FWR:ss

cc: Jack Wimbley

F-SE Key Sheet
14 SE 17 Pos. Sheet
SE 4 E Topo
103 Tax Map



NORMAN E. GERBER
DIRECTOR

August 3, 1981

Mr. William Hammond, Zoning Commissioner
Zoning Advisory Committee
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

Comments on Item #245, Zoning Advisory Committee Meeting, June 30, 1981, are as follows:

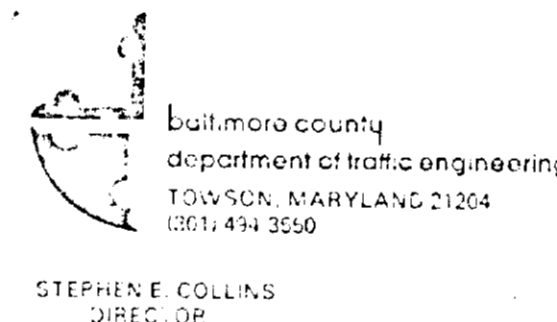
Property Owner: Bruce E and Ellen M. Hamilton
Location: S/S St. Helena Avenue 617.29' W. of Willow Spring Avenue
Acres: 14.75 X 145
District: 12th

This office has reviewed the subject petition and offers the following comments. These comments are not intended to indicate the appropriateness of the zoning in question, but are to assure that all parties are made aware of plans or problems with regard to development plans that may have a bearing on this petition.

This petition meets the requirements of the Division of Current Planning and Development.

Very truly yours,

John L. Wimbley
Planner III
Current Planning and Development



Baltimore County
Department of Traffic Engineering
TOWSON, MARYLAND 21204
(301) 494-3550

STEPHENE COLLINS
DIRECTOR

August 27, 1981

Mr. William Hammond
Zoning Commissioner
County Office Building
Towson, Maryland 21204

Dear Mr. Hammond:

The Department of Traffic Engineering has no comment regarding items number 243, 244, 245, 246, and 247 of ZAC meeting June 30, 1981.

Michael S. Flanigan
Traffic Engineering Associate II

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

William E. Hammond, Zoning Commissioner
TO: Office of Planning and Zoning Date July 16, 1981

FROM: Ian J. Forrest

SUBJECT: Zoning Variance Items

The Baltimore County Department of Health has reviewed the following Zoning Variance Items, and has no specific comments regarding same:

Item #244 - Joseph F. Trionfo, Sr.

Item #245 - Bruce E. & Ellen M. Hamilton

Item #246 - Robert W. & Carolyn G. Insley

Item #2 - Stewart P. & Henene M. Jung, Sr.

Item #3 - Richard Talbott Walker, et al

Item #4 - Ronald G. & Madeline A. Evelyn

Item #6 - John G. & Merle E. Smith

Ian J. Forrest
Ian J. Forrest, Director
BUREAU OF ENVIRONMENTAL SERVICES

LJF/rth/JEF

MSF/jcm

Pursuant to the advertisement, posting of property, and public hearing on the Petition and it appearing that strict compliance with the Baltimore County Zoning Regulations would result in practical difficulty and unreasonable hardship upon the Petitioner(s) and the granting of the variance(s) requested will not adversely affect the health, safety, and general welfare of the community, the variance(s) should be granted.

Therefore, IT IS ORDERED by the Deputy Zoning Commissioner of Baltimore County, this 21st day of October, 1981, that the herein Petition for Variance(s) to permit a side yard setback of zero feet in lieu of the required two and one-half feet for a 7' x 10' shed should be and the same is GRANTED, from and after the date of this Order, subject, however, to the following restrictions:

1. The site plan shall indicate the following dimensions:

shed 7.0 feet wide
sidewalk 3.5 feet wide
yard/garden 4.25 feet wide

2. A revised site plan, incorporating the above restriction, shall be submitted for approval by the Department of Public Works and the Office of Planning and Zoning.

Jean M. H. Jung
Deputy Zoning Commissioner of
Baltimore County



BALTIMORE COUNTY
FIRE DEPARTMENT
TOWSON, MARYLAND 21204
825-7010

PAUL H. REINGKE
CHIEF

Mr. William Hammond
Zoning Commissioner
Office of Planning and Zoning
Baltimore County Office Building
Towson, Maryland 21204

Attention: Nick Commodari, Chairman
Zoning Plans Advisory Committee

RE: Property Owner: Bruce E. & Ellen M. Hamilton

Location: S/S St. Helena Avenue 617.29' W. of Willow Spring Avenue

Item No.: 245 Zoning Agenda: Meeting of June 30, 1981

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below marked with an "X" are applicable and required to be corrected or incorporated into the final plans for the property.

() 1. Fire hydrants for the referenced property are required and shall be located at intervals or _____ feet along an approved road in accordance with Baltimore County Standards as published by the Department of Public Works.

() 2. A second means of vehicle access is required for the site.

() 3. The vehicle road end condition shown at _____

EXCEEDS the maximum allowed by the Fire Department.

() 4. The site shall be made to comply with all applicable parts of the Fire Prevention Code prior to occupancy or beginning of operation.

() 5. The buildings and structures existing or proposed on the site shall comply with all applicable requirements of the National Fire Protection Association Standard No. 101 "Life Safety Code", 1976 Edition prior to occupancy.

() 6. Site plans are approved, as drawn.

(X) 7. The Fire Prevention Bureau has no comments at this time.

REVIEWED: *[Signature]* Noted and Approved: *[Signature]*
Planning Group Fire Prevention Bureau
Special Inspection Division

lmb/nr

9/10
82-58-A

BALTIMORE COUNTY, MARYLAND

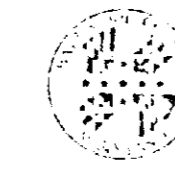
INTER-OFFICE CORRESPONDENCE

TO: Nick Commodari Date: July 6, 1981
FROM: Charles E. (Ted) Burnham
SUBJECT: Zoning Advisory Committee
Meeting of June 30, 1981

ITEM NO. 243 See Comments
ITEM NO. 244 See Comments
ITEM NO. 245 Standard Comments
ITEM NO. 246 See Comments
ITEM NO. 247 See Comments

Charles E. Burnham
Charles E. (Ted) Burnham
Plans Review Supervisor

CEB:rrj



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353
WILLIAM E. HAMMOND
ZONING COMMISSIONER

October 21, 1981

Allan J. Culver, Jr., Esquire
P.O. Box 9072
Baltimore, Maryland 21222

RE: Petition for Variance
S/S of St. Helena Ave., 617' W of
Willow Spring Ave. - 12th Election
District
Bruce E. Hamilton, et ux - Petitioners
NO. 82-58-A (Item No. 245)

Dear Mr. Culver:

I have this date passed my Order in the above captioned matter in accordance with the attached.

Very truly yours,

Jean M. H. Jung
JEAN M. H. JUNG
Deputy Zoning Commissioner

JMHJ/mc

Attachments

cc: John W. Hesslan, III, Esquire
People's Counsel



BALTIMORE COUNTY
OFFICE OF PLANNING & ZONING
TOWSON, MARYLAND 21204
494-3353

WILLIAM E. HAMMOND
ZONING COMMISSIONER

September 3, 1981

Allan J. Culver, Jr., Esquire
P. O. Box 9072
Baltimore, MD 21222

RE: Petition for Variance
S/S St. Helena Ave., 617' W of Willow Spring Ave.
Bruce E. Hamilton, et ux - Petitioners
Case #82-58-A

Dear Mr. Culver:

This is to advise you that \$54.00 is due for advertising and posting of the above property.

Please make check payable to Baltimore County, Maryland, and remit to Karen Riegel, Room 113, County Office Building, Towson, Maryland 21204 before the hearing.

Very truly yours,

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

WEH:klr

Beginning of said property on the South side of St. Helena Ave.; said point being located 617.29' westerly from the intersection of the south side of Helena Ave. and the West side of Willow Spring Ave.; thence westerly on the south side of St. Helena Ave. 14.75' to the center of a partition wall, thence southerly through the center of said partition wall 145' to the North side of a 10' wide alley thence with said North side of said alley easterly 14.75'; thence northerly through the center of another partition wall 145' to the place of beginning. The improvements thereon being known as NO. 257 St. Helena Ave.

Allan J. Culver, Jr.
Attorney at Law

Ms. Jean M. H. Jung
Deputy Zoning Commissioner
Office of Planning & Zoning
Towson, MD 21204

Re: Petition for Variance
S/S St. Helena Avenue, 617' W of Willow Spring Ave.
Bruce E. Hamilton, et ux - Petitioners
Case No. 82-58-A

Dear Ms. Jung:

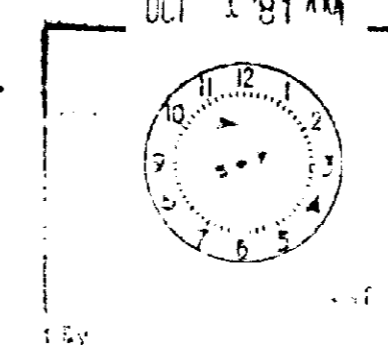
In reference to the above captioned Petition for Variance, per your request at date of hearing, please be advised that the physical dimensions of Mr. Hamilton's yard are as follows: Shed measures 7' wide; sidewalk measures an additional 3-1/2' at the bottom of the yard adjacent to the shed; and the garden plot measures 4.75' from the sidewalk to the property line of Margaret Harr.

According to the original plat, the sidewalk measured 1.5' which is incorrect. The sidewalk does measure 1.5' at the beginning of the Petitioner's back door, but widens at the bottom of the yard where the shed has been placed to 3'.

Should you have any further questions in connection with the dimensions of the Petitioner's yard, please feel free to give me a call.

Very truly yours,
Allan J. Culver, Jr.
Allan J. Culver, Jr.

AJC/dr



PETITION FOR VARIANCE

12th DISTRICT

ZONING: Petition for Variance
LOCATION: South side of St. Helena Avenue, 617 ft. West of Willow Spring Avenue
DATE & TIME: Thursday, September 10, 1981 at 9:30 A.M.
PUBLIC HEARING: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

The Zoning Commissioner of Baltimore County, by authority of the Zoning Act and Regulations of Baltimore County, will hold a public hearing:

Petition for Variance to permit a side yard setback of 0' instead of the required 2 1/2'.

The Zoning Regulation to be excepted as follows:

Section 400.1 - Minimum side yard setback

All that parcel of land in the Twelfth District of Baltimore County

Being the property of Bruce E. Hamilton, et ux, as shown on plat plan filed with the Zoning Department

Hearing Date: Thursday, September 10, 1981 at 9:30 A.M.
Public Hearing: Room 106, County Office Building, 111 W. Chesapeake Avenue, Towson, Maryland

BY ORDER OF
WILLIAM E. HAMMOND
ZONING COMMISSIONER
OF BALTIMORE COUNTY

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

Mr. W. E. Hammond
Zoning Commissioner
Date: August 4, 1981

TO: Norman E. Gerber, Director
FROM: Office of Planning and Zoning

SUBJECT: Petition No. 82-58-A Item 245

Petition for Variance
S/S St. Helena Avenue 617.29' W. of Willow Spring Avenue
Petitioner- Bruce E & Ellen M. Hamilton

There are no comprehensive planning factors requiring comment on this petition.

Norman E. Gerber
Norman E. Gerber, Director
Office of Planning and Zoning

NEG:JGH:bb

Allan J. Culver, Jr., Esquire
P. O. Box 9072
Baltimore, Maryland 21222

August 13, 1981

NOTICE OF HEARING

RE: Petition for Variance
S/S of St. Helena Ave., 617' W of Willow Spring Ave.
Bruce E. Hamilton, et ux - Petitioners
Case #82-58-A

TIME: 9:30 A.M.

DATE: Thursday, September 10, 1981

PLACE: ROOM 106 COUNTY OFFICE BUILDING, 111 W. CHESAPEAKE AVENUE,

TOWSON, MARYLAND

bcc: Edward Rasel
255 St. Helena Ave.
Baltimore, MD 21222

William E. Hammond
ZONING COMMISSIONER OF
BALTIMORE COUNTY

Allan J. Culver, Jr.
Attorney at Law

P.O. Box 9072
Baltimore, Maryland 21222-0772
Telephone (800) 240-2400

October 5, 1981

Ms. Jean M. H. Jung
Deputy Zoning Commissioner
Office of Planning & Zoning
Towson, MD 21204

Re: Petition for Variance
S/S St. Helena Avenue, 617' W of Willow Spring Ave.
Bruce E. Hamilton, et ux - Petitioners
Case No. 82-58-A

Dear Ms. Jung:

Per your request, please be advised that my letter of September 28, 1981, should be amended to reflect that the physical dimensions of Mr. Hamilton's yard are as follows: Shed measures 7' wide; sidewalk measures an additional 3-1/2' at the bottom of a yard adjacent to the shed; and the garden plot measures 4.2' from the sidewalk to the property line of Margaret Harr.

According to the original plat, the sidewalk measured 1.5' which is incorrect. The sidewalk does measure 1.5' at the beginning of the Petitioners' back yard, but widens at the bottom of the yard where the shed has been placed to 3.5'.

Also find enclosed herewith a drawing indicating the aforementioned dimensions that was prepared on October 5, 1981.

Should you have any further questions in connection with the dimensions of the Petitioners' yard or the enclosed diagram, please feel free to give me a call; otherwise, thank you for your courtesies in this matter.

Very truly yours,

Allan J. Culver, Jr.
Allan J. Culver, Jr.

AJC/dr
Enclosure

HOUSE

House

House

Property belonging to Margaret Harr

Garden Plot

Side walk

GRASS Plot

Shed

Property Rented to Edward Rasel

Fence

SIDE WALK

Gate

DRIVEWAY

DRIVEWAY

Property Line

ALLEY

PETITION MAPPING PROGRESS SHEET

FUNCTION	Wall Map		Original		Duplicate		Tracing		200 Sheet	
	date	by	date	by	date	by	date	by	date	by
Descriptions checked and outline plotted on map										
Petition number added to outline										
Denied										
Granted by ZC, BA, CC, CA										
Reviewed by: <i>WES</i>	Revised Plans: Change in outline or description Yes <input type="checkbox"/> No <input type="checkbox"/>									
Previous case:	Map #									

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received this 15 day of June, 1981.

Filing Fee \$25.00 Received: ☒ Check ☐ Cash ☐ Other

William E. Hammond
William E. Hammond, Zoning Commissioner

Petitioner *Bruce & Ellen Hamilton* Submitted by *William E. Hammond*

Petitioner's Attorney *Allan Culver* Reviewed by *WES*

*This is not to be interpreted as acceptance of the Petition for assignment of a hearing date.

CERTIFICATE OF POSTING

ZONING DEPARTMENT OF BALTIMORE COUNTY
Towson, Maryland

District 12 Date of Posting 8/22/81

Posted for: *Bruce & Ellen Hamilton*

Petitioner: *Bruce & Ellen Hamilton et ux*

Location of property: *425 St. Helena Ave., 617' W. of Willow Spring Ave.*

Location of Sign: *Back of property #1257 St. Helena Ave.*

Remarks: *See map*

Posted by: *William E. Hammond* Date of return: 8/24/81

Signature: *William E. Hammond*

RAND 1011

FROM: ALLAN J. CULVER, JR., ESQUIRE
BALTIMORE, MARYLAND 21222

Re: Bruce & Ellen Hamilton
257 St. Helena Avenue
Dear Karen:

Please find enclosed herewith my check in the amount of \$25.00 made payable to the Baltimore County Office of Planning & Zoning to cover the following costs in the above captioned case. Should you have any questions in connection with the enclosed, please feel free to give me a call; otherwise, thank you for your attention to this matter.

SIGNED

Allan J. Culver, Jr.
286-2460

Allan J. Culver, Jr., Esquire
P.O. Box 9072
Baltimore, Maryland 21222

BALTIMORE COUNTY OFFICE OF PLANNING & ZONING

County Office Building
111 W. Chesapeake Avenue
Towson, Maryland 21204

Your Petition has been received and accepted for filing this 30th day of June, 1981.

William E. Hammond
WILLIAM E. HAMMOND
Zoning Commissioner

Petitioner *Bruce E. Hamilton Et al*
Petitioner's Attorney *Allan J. Culver*

Reviewed by: *Nicholas B. Commodari*
Nicholas B. Commodari
Chairman, Zoning Plans
Advisory Committee

